

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anthony J. Baerlocher
Appl. No.: 10/649,091
Conf. No.: 4932
Filed: August 27, 2003
Title: GAMING DEVICE HAVING A MULTIPLE SELECTABLE INDICATOR
GAME
Art Unit: 3714
Examiner: Matthew D. Hoel
Docket No.: 0112300-1411

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Please enter this response in the above-identified patent application.

REMARKS

This Response is submitted in reply to the Office Action mailed on May 27, 2009. Please charge Deposit Account No. 02-1818 for any amounts due in connection with this response.

In the Office Action, the Examiner issued a restriction requirement under 35 U.S.C. § 121, which required applicant to elect one of the following:

- Group I. Claims 1 to 13, 15, 16, 19 to 35, 37 to 41, 43 to 56, 103, and 125, drawn to an electronic gaming device; and
- Group II. Claims 57 to 59, 61, 64 to 76, 78 to 93, 117, 121, and 126, drawn to a method of operating a gaming device.

Applicant hereby elects Group I, Claims 1 to 13, 15, 16, 19 to 35, 37 to 41, 43 to 56, 103, and 125, without traverse, for examination on the merits.

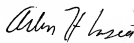
Accordingly, Applicant respectfully submits that elected Claims 1 to 13, 15, 16, 19 to 35, 37 to 41, 43 to 56, 103, and 125 are pending for prosecution on the merits

Favorable consideration is respectfully requested.

Respectfully submitted,

K&L GATES, LLP

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Date: June 9, 2009